

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CRYSTAL STINSON,

Plaintiff,

V.

KEVIN MCGINNIS, ET AL.,

Defendants.

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No. 3:23-cv-810-M-BN

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made Findings, Conclusions, and a Recommendation in this case. Objections were filed on September 4, 2024 [Dkt No. 47]. The District Court reviewed *de novo* those portions of the proposed Findings, Conclusions, and Recommendation to which objection was made, and reviewed the remaining proposed Findings, Conclusions, and Recommendation for plain error. Finding no error, the Court ACCEPTS the Findings, Conclusions, and Recommendation of the United States Magistrate Judge. The Court therefore GRANTS the motions to dismiss filed by Defendants Daniel Jones and Kevin McGinnis [Dkt. Nos. 25 & 28] to the extent that Plaintiff Crystal Stinson fails to plead specific facts that allow the Court to reasonably infer that either defendant is liable for the harms alleged and that defeat each defendant's qualified immunity defense. However, the dismissal is WITHOUT PREJUDICE. The Court will permit Plaintiff to file a motion to amend seeking only to replead the allegations the Magistrate Judge found factually and/or legally insufficient. In the Motion to

Amend, to be filed on or before October 7, 2024, Plaintiff shall explain why the proposed amended pleading satisfies the deficiencies identified by the Magistrate Judge. All new or deleted language in the proposed amended pleading shall be noted in the proposed amendment (by underlining, brackets, highlighting and the like). Defendant may respond to the Motion to Amend within two weeks of its filing. No reply will be permitted.

SO ORDERED this 11th day of September, 2024.


BARBARA M. G. LYNN
SENIOR UNITED STATES DISTRICT JUDGE